

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**KEVIN LUNDY,**

**Plaintiff,**

**v.**

**ILLINOIS DEPARTMENT OF  
CORRECTIONS, *et al.*,**

**Defendants.**

**Case No. 23-cv-03809-SPM**

**MEMORANDUM AND ORDER**

**MCGLYNN, District Judge:**

This matter is before the Court on Plaintiff's second motion to compel discovery regarding the identity of the John Doe Defendant, who is described in the Complaint as a placement officer who worked from March 3, 2022, through March 18, 2022. (Doc. 32).

In the Initial Scheduling and Discovery Order, Plaintiff was directed to produce to Defendants any information he possessed that would help in identifying the John Doe by October 30, 2024, such as physical description and specific job assignment. (Doc. 27, p. 3). Defendants had until November 14, 2024, to produce to Plaintiff the identity of the John Doe or if they were unable to make a specific identification, any document that would assist in identifying the John Doe. (*Id.*).

On November 8, 2024, Defendants notified the Court that they did not receive from Plaintiff any information that would assist them in identifying the John Doe Defendant. (Doc. 29). Defendants, however, provided him with the names of three different individuals who worked as placement officers from March 3-8, 2022. (*Id.*).

In his motion to compel, Plaintiff argues that he received a roster sheet as part of initial

discovery but that the roster did not include any names of any placement officers. (Doc. 32). He states that he wrote Defendants a letter on December 3, 2024, notifying them that he had not received the name of a placement officer who received a copy of his low gallery and low bunk permit. Plaintiff did not receive a response to his letter. He asks the Court to compel Defendants to provide him with the name of the Jane Doe or John Doe Placement Officer. Defendants did not file a response to the motion. *See* SDIL-LR 7.1(a)(5) (“failure to file a timely response to a non-dispositive motion may be deemed consent to the relief as requested”).

The motion to compel is **GRANTED in part**. Defendants are directed to send Plaintiff the names of the placement officers who worked from March 3, 2022, through March 18, 2022, and were given a copy of or had access to Plaintiff’s low gallery and low bunk permits during this timeframe on or before **February 7, 2025**.

Plaintiff shall have until **February 28, 2025, to file a motion to substitute** a specific Defendant for the John Doe or, if the John Doe remains unidentified, to file a motion specifying additional steps that can be taken to identify the John Doe. **Failure to file a motion to substitute by this date will result in the dismissal of the John Doe without prejudice.**

**IT IS SO ORDERED.**

**DATED: January 17, 2025**

*s/Stephen P. McGlynn*  
**STEPHEN P. MCGLYNN**  
**United States District Judge**